

Kim DelNigro

From: Roland Bartl
Sent: Friday, April 21, 2006 3:42 PM
To: Planning Board
Subject: FW: New Regulations on Perchlorate

FYI

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-----Original Message-----

From: Maryjane Kenney
Sent: Friday, April 21, 2006 2:46 PM
To: Roland Bartl
Subject: FW: New Regulations on Perchlorate

-----Original Message-----

From: JJ Kazakoff [mailto:jjkazakoff@massinsight.com]
Sent: Friday, March 24, 2006 3:15 PM
Subject: New Regulations on Perchlorate

Hello everyone-

The attached memo is a addresses the DEP's new proposal regarding perchlorate limits. Should you have questions, please contact Charlie Chieppo, Mass Insight's Director of Policy & Advocacy, at 617-722-4160 *818 or cchieppo@massinsight.com. Enjoy your weekend.

Sincerely,

JJ Kazakoff
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4/21/2006

Regulatory Alert: Perchlorate

Proposed DEP Regulation More than 10 Times More Stringent Than Federal

MARCH 2006

Background

Perchlorate is a chemical that is both naturally occurring and produced as a result of human activity. It has an important use as an element used in site preparation for residential and commercial developments when there are significant variations in elevation on the parcel. Perchlorate is used as a solid propellant for rockets, missiles and fireworks and has a number of industrial uses, ranging from the manufacture of matches to helping inflate automobile airbags. It also has a therapeutic use as a treatment for thyroid disorders, but at high concentrations of more than 245 parts per billion (ppb) in drinking water it may begin to block some of the thyroid's iodide uptake. Perchlorate was found in 10 Massachusetts public water sources in 2004.

Current Regulatory Activity

In response to these findings, the Commonwealth issued an extremely stringent interim public health recommendation in 2004 that perchlorate in drinking water be limited to 1 ppb for our most vulnerable populations (pregnant women, infants and individuals with hypothyroidism). This month, the Department of Environmental Protection proposed a 2

ppb perchlorate regulation that would be the most stringent in the nation. MCWC is concerned because we believe the proposed regulation is not supported by scientific findings.

Massachusetts: A Leader, not an Outlier

MCWC believes in an environmentally and fiscally sound state water policy that distinguishes between public health and environmental protection. When regulations go beyond guarding against health risks, the additional protection should be balanced against ratepayers' ability to pay. The proposed 2 ppb perchlorate regulation does not strike that balance.

The U.S. Environmental Protection Agency and the National Academy of Sciences (NAS) reviewed 16 studies conducted between 1998 and 2002 and concluded:

- The reference dose (the amount of perchlorate in drinking water considered safe if consumed every day for a lifetime) is 24.5 ppb. This level is considered safe even for the most vulnerable populations.
- An NAS Committee found that the "no observable effect level" for perchlorate in drinking water is about 245 ppb.

Regulatory Alert: Perchlorate

JUST THE FACTS

DEP's proposed 2 ppb regulation for perchlorate in drinking water is contrary to scientific findings.

- NAS and EPA reviewed data before setting reference dose at 24.5 ppb

The proposed regulation would make Massachusetts an environmental outlier, not a leader.

- Standard is far more stringent than standards in comparable states

The proposed regulation does not strike an appropriate balance between environmental protection and ratepayers' ability to pay.

- Treatment costs for perchlorate in drinking water increase dramatically below 10 ppb
- Regulation would result in rate increases, particularly for smaller water systems

About the Massachusetts Clean Water Council

The Mass. Clean Water Council's membership represents more than 130 communities and provides drinking water or wastewater management services or both to more than four and a half million residents across Massachusetts. The Clean Water Council advocates for clean water, safe drinking water and environmentally and fiscally sound water policies for our state.

Environmental Benchmarks

California:

"action level"	18 ppb
"draft public health goal"	6 ppb

New York:

"public notification level"	18 ppb
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Massachusetts:

proposed regulation	2 ppb
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- The Committee also stated "it is unlikely that perchlorate poses a risk of cancer in humans."

The proposed 2 ppb level is also out of step with similar states

- California's current "action level" for perchlorate is 18 ppb; it has a "draft public health goal" of 6 ppb
- New York's "public notification level" is 18 ppb.

The proposed 2 ppb regulation is at odds with scientific findings and would make Massachusetts an outlier compared to other states and the federal government. Treatment of drinking water to reduce perchlorate levels below 10 ppb provides no apparent health benefits, but would be extremely costly and further increase the burden on ratepayers.

Cost of Proposed Regulation

Water treatment costs increase dramatically once the allowable level of perchlorate dips below 10 ppb.

- The cost of treating drinking water at 4 ppb is almost four times higher than that of treating to 18 ppb.
- This would translate into large rate increases, particularly for smaller water systems.

Make Your Voice Heard

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